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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

GE HEALTHCARE FINANCIAL)
SERVICES, a component of GENERAL)
ELECTRIC COMPANY,)

Plaintiff,)

v.)

EBW LASER, INC.,)

Defendant,)
Third Party Plaintiff,)

v.)

ALCON LABORATORIES, INC., and)
REFRACTIVE HORIZONS, L.P.)

Third Party)
Defendants.)

1:03CV00514



ORDER AND JUDGMENT

BEATY, District Judge.

For the reasons stated in the Memorandum Opinion filed contemporaneously herewith,
IT IS HEREBY ORDERED that Third-Party Defendants' Motion to Dismiss [Document
#10] is GRANTED. Accordingly, IT IS FURTHER ORDERED that EBW's Third-Party
Complaint against the Third-Party Defendants is hereby DISMISSED with prejudice.

This, the 8th day of December, 2004.

James A. Beaty
United States District Judge